

CERTIFIED TRUE COPY

DAVID SAMSON
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FILED

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April 30, 2002
NEW JERSEY STATE BOARD
OF ACCOUNTANCY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF ACCOUNTANCY

IN THE MATTER OF:

Administrative Action

HARVIN E. FREEDMAN, C.P.A.

CONSENT ORDER

The New Jersey State Board of Accountancy opened this matter on receiving information from the United States Securities and Exchange Commission regarding the role of, among others, Harvin E. Freedman, a licensee of the Board and a former shareholder of the firm of Freedman, Milwicz & Morrison, P.A. ("FMM"), in the audit of The Cellular Group, Inc. for the six-month period ended September 30, 1993.

At the Board's request, Freedman (sometimes hereinafter "Respondent") and others, represented by counsel, appeared separately before the Board in August of 2000, giving testimony and responding to questions.

Upon review of the information received in light of the

preliminary findings regarding violations of the Board's enabling act and regulations.

2. Respondent acknowledges the conduct which has been charged.

3. Respondent is hereby reprimanded for such conduct.

4. Respondent has paid a penalty in the amount of \$2,500.00 and \$7,500.00 representing a portion of the Board's costs associated with the investigation and pursuit of this matter, by having caused said payments to be delivered to the Attorney General of New Jersey, counsel for the Board, together with this Consent Order which Respondent and his counsel have signed below in anticipation of its execution and entry on behalf of the Board.

5. Respondent agrees that, during the three-year period beginning on the day the Board enters this consent Order, he will obtain the approval of a public accountant licensed to practice in New Jersey, prior to the issuance of any audit or review.

6. Respondent further agrees that, during such three-year period, he will, on a quarterly basis, submit to the Quality Enhancement Committee of the Board, a report of those compilations he has performed, for review and whatever action the Committee deems appropriate. The first such report is to be submitted on or before the last business day of the third calendar month following the month in which this Consent Order is entered and subsequent reports at three month intervals thereafter on or before the last

testimony, the Board found preliminarily, among other things, that Respondent violated N.J.S.A. 45: 1-21 (e) and (h) in that he "ha[d] engaged in professional . . . misconduct as . . . determined by the board" and "ha[d] violated or failed to comply with provisions of [the] act [and] regulation[s] administered by the [B]oard."

Among the Board's preliminary findings were that Respondent had violated N.J.A.C. 13:29-3.3 in that he or FMM had "undertake[n] an[] engagement for the performance of professional services which [he and the firm could] not reasonably [have] expect[ed] to complete with due professional competence, including compliance . . . with N.J.A.C. 13:29-3.5 requiring compliance with " . . . generally accepted auditing standards" and N.J.A.C. 13:29-3.6 prohibiting, generally, departures from generally accepted accounting principles

The Board advised Respondent of its preliminary findings and offered him the opportunity to settle the matter and thereby avoid the initiation of formal disciplinary proceedings.

Initially, Respondent declined the Board's offer but, immediately prior to the commencement of formal proceedings, came to agreement with the Board for amicably resolving the matter, on the terms and conditions set forth in this Consent Order.

ACCORDINGLY, IT IS, ON THIS 18 DAY OF April 2002, ORDERED
AND AGREED THAT:

1. Respondent acknowledges having reviewed the Board's

business day.

7. Respondent is aware that the action taken against him by the Board herein is a matter of public record and that this Consent Order is a public document.

8. A copy of this Consent Order shall be served upon Respondent by United States Postal Service 1st Class Mail as soon as practicable after it is entered.

STATE BOARD OF ACCOUNTANCY

By:



~~Alfonso Pisane, ~~SEA~~~~, President

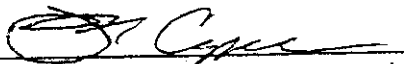
ROBERT SOMMER

I have read the within Order and understand its terms. I consent to its entry and agree to be bound by its terms.



Harvin E. Freedman, Respondent

Consent is hereby given to the form and entry of this Order.



Attorney/ies for Respondent